

**PUBLIC MEETING  
July 29, 2010  
MINUTES**

Chairman Mike Murray called the meeting to order at 9 a.m. Commissioners Derek Brown and Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, Rebecca Shaw, Carrie Severson, Byron Stahly, Jason Senn, Doug Sparrow, Katie Jerstad, Kelly Blake, Mark Simonich, and Carole Byrnes, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Certificate of Appropriation for INTERCAP Revolving Program for FY 2011. (Nancy Everson)
- b. Montana Cultural Trust Grant Application - Helena Symphony Society.
- c. Montana Cultural Trust Grant Application - Helena Presents/Myrna Loy Center.
- d. Montana Cultural Trust Grant Application - Queen City Ballet Company.

Eric Bryson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Hunthausen moved to approve the consent action items and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 3-0.

Bid Award. 2010 Chip Seal Surfacing of County Roads. This project consists of chip-seal surfacing of 9.92 miles of several county roads; 2,791 lineal feet of roadway within the Forestvale Cemetery; 760 lineal feet of roadway on Marcella Burke Drive and 1,943 sq. yards in Autumn Wind Court. The bids were opened on July 27, 2010.

Audra Zacherl reported that two bids were received, Helena Sand and Gravel of Helena \$260,050; and Pavement Maintenance Solutions, Columbia Falls, \$246,505.52. The selection committee recommended awarding the contract to the low bidder, Pavement Maintenance Solutions. Budget authority was approved in the current fiscal year for the total project. Staff recommended that the commissioners award the bid to the low bidder, Pavement Maintenance Solutions, for \$246,505.52 and authorized the Chair to sign all applicable contract documents.

No public comments were received.

Commissioner Hunthausen moved to award the bid to Pavement Maintenance Solutions as recommended, and authorized the Chair to sign applicable contract documents. Commissioner Brown seconded the motion. The motion carried 3-0.

Resolution 2010-244 Relating to \$44,431 Bond for the Lewis and Clark County Autumn Wind Court Rural Improvement District No. 2008-7; Fixing the Form and Details and Providing for the Execution and Delivery Thereof and Security Therefor. (Carrie Severson)

Carrie Severson reported that the county has requested a partial drawdown on the bond and the resolution relates to the State Inter-cap loan program.

No public comments were received.

Commissioner Brown moved to approve the resolution and authorized the Chair to sign. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Public Hearing. Proposed Major Subdivision, Amended Plat of Lot 25 - Hayfield Estates (aka Hayfield Estates II Major Subdivision). (Applicant: Doug Sparrow) (Planner: Rebecca Shaw). The applicant proposes to create 24 lots, each for one single family dwelling. The proposed subdivision is generally located east of Valley Drive, approximately ¼ mile south of York Road.

Rebecca Shaw reported that Hayfield Estates Major Subdivision was finalized in 2008. Applicants are now subdividing it into 24 lots, plus one large, single-family lot. South of the proposal is a working gravel pit. An irrigation ditch runs on the north side of the property. The applicants have requested a public wastewater system. They have submitted cash in lieu of parkland request. The subdivision is accessed via Valley Drive and is part of the traffic impact corridor. Because of the irrigation ditch, the county would require a 50-foot setback. There is a potential for negative impacts on the groundwater because of the public wastewater system. There does appear to be adequate water available for domestic use from the well logs. The subdivider has requested a variance concerning adjacent and off-site road improvements. Strict compliance would result in an undue hardship and because of the previous upgrade to the road. The applicant has agreed to remit cash in lieu of parkland dedication. Staff recommended conditional approval of the proposal. An easement has been built through to Boylan Drive; however, Ms. Shaw does not have a recommendation that they build to their property line. Strike condition k, it is a duplicate of n.

Jason Senn, Stahly Engineering, discussed the wastewater system and location of the wells. The site meets all non-degradation requirements set forth by DEQ. The applicant has already contributed a large amount of money towards improvements on Valley Drive, he should receive a credit towards the amount of money that he is being required to contribute for this development.

Byron Stahly stated that Mr. Sparrow's intention was to leave two lots as open space which may be developed at some point in the future. The long-range plan would be to continue phased development.

Doug Sparrow, stated the sewer system was designed for 48 lots. Due to current economic factors, he is pursuing 24 lots. He would like the variance request approved.

Hearing no other comments, the public hearing was closed.

Commissioner Hunthausen moved to render a decision on August 10, 2010 to allow sufficient time to review the traffic count analysis. Commissioner Brown seconded the motion. The motion carried 3-0.

Public Hearing. Proposed Variance Request from Adjacent and Offsite Road Improvements on the Amended Plat of Lot 25, Hayfield Estates II. (Applicant: Doug Sparrow) (Planner: Rebecca Shaw) Applicant is requesting a variance from Adjacent and Offsite Road Improvements (XI.H.3) on the Amended Plat of Lot 25 of Hayfield Estates. The proposed subdivision is generally located east of Valley Drive, approximately ¼ mile south of York Road.

Commissioner Hunthausen moved the previous hearing information into this record on the variance. Commissioner Brown seconded the motion. The motion carried.

Doug Sparrow stated that 48 people have paid for half a mile of improvement and feels they have paid their substantial share at this point.

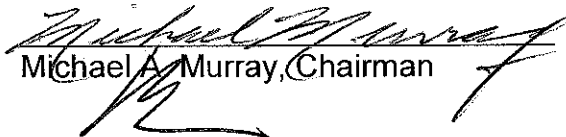
Hearing no other comments, the public hearing was closed.

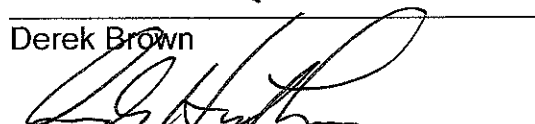
Commissioner Brown moved to combine the two items for the August 10 meeting, and rule on the variance first. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

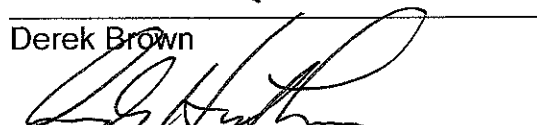
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. Commissioner Murray encouraged everyone to attend Fair and Stampede Week in Lewis and Clark County.

There was no other business, the meeting adjourned at 10:12 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Michael A. Murray, Chairman

  
Derek Brown

  
Andy Hunthausen

ATTEST:

  
Paulette DeHart, Clerk of the Board